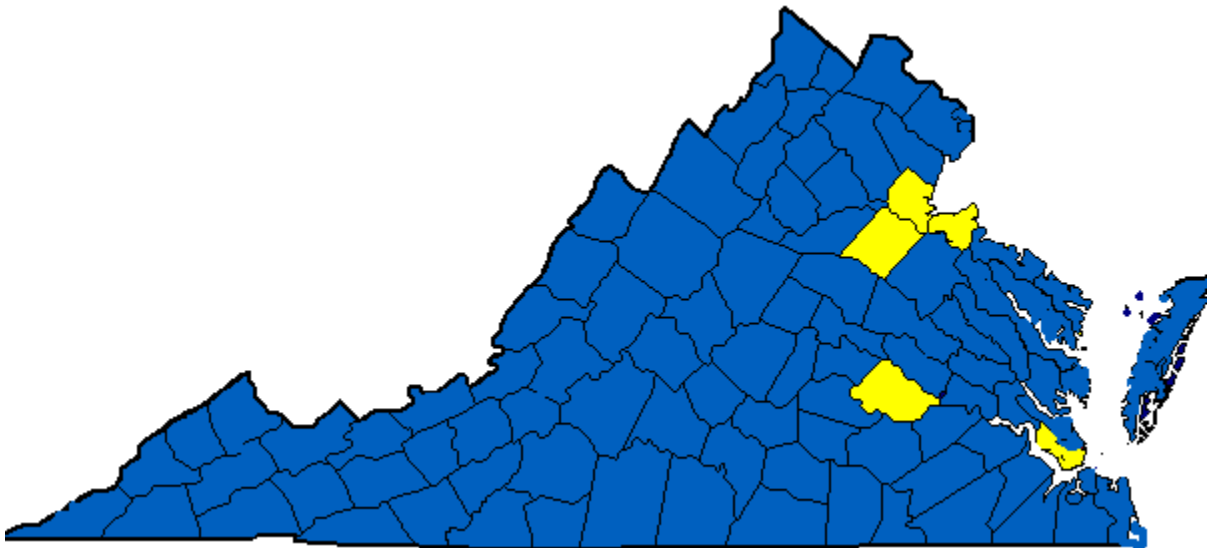


RECIDIVISM REVIEW PROJECT:

A SUMMARY OF THE RECIDIVISM DATA COLLECTED BY:

**CHESTERFIELD COMMUNITY CORRECTIONS,
HAMPTON-NEWPORT NEWS CRIMINAL JUSTICE AGENCY,
AND
RAPPAHANNOCK REGIONAL JAIL COMMUNITY CORRECTIONS**



JUNE 2, 2004

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For additional information on this report please contact the Hampton-Newport News Criminal Justice Agency's Planning and Evaluation Division at 136 Kings Way, Hampton, VA 23669 or 757-726-5431.

EXECUTIVE SUMMARY

Chesterfield Community Corrections, Hampton-Newport News Criminal Justice Agency and the Rappahannock Regional Jail, recently completed a study of re-conviction and re-arrest rates for individuals sentenced to local community-based probation programs under the Comprehensive Community Corrections Act for Local Responsible Offenders. This study is the first of its kind in the state. The study reports on an aggregate sample of 344 cases closed during the period of August 1, 1996-July 30, 1997 that were tracked for a minimum of three years after their closing.

Little is known about the misdemeanor and low-level felon population, as they are difficult to research. This is especially true in regard to recidivism evaluations. The purpose of this study is to establish a baseline from which further studies on this local responsible population will be developed. The study includes an analysis of total re-conviction rates based on case closure type (successful or unsuccessful); re-conviction by charge class (misdemeanor or felony); re-conviction rates of a more serious crime; and re-conviction rates of a less serious crime. Re-arrest rates are also examined.

The key findings of this study are as follows:

- Overall, 65% of the offenders under local community corrections supervision had no new convictions, resulting in an aggregate 35% re-conviction rate.
- When separated by agency the overall re-conviction rate for offenders under local community corrections in Chesterfield was 32%; Hampton-Newport News was 38%; and Rappahannock was 32%. Each is similar to the aggregate re-conviction rate of 35%.
- Offenders, who were successful under supervision, were nearly two times less likely to be re-convicted than offenders who were unsuccessful (aggregate data).
- If examined separately, the data from each agency shows that, like the aggregate data, offenders who were successful under supervision were less likely to be re-convicted than offenders who were unsuccessful.
- The re-conviction rate for offenders under local community corrections supervision for committing a felony was 49%; for offenders under supervision for committing a misdemeanor the re-conviction rate was 34%.
- Of the repeat offenders under supervision for a felony, 65% were re-convicted of a crime less serious than their original charge.
- Of the individuals convicted of a new crime after being released from supervision for a misdemeanor, 58% were re-convicted for committing a crime equal to, or less serious in nature than their original crime.
- The average length of time that passed between closure of the community corrections case and the offenders' first arrest after completing supervision was 17 months.
- A comparison between the different localities suggests that offenders in particular geographic locations may be more likely to be re-convicted or re-arrested.

This report is the first in what is hoped to be an ongoing review of recidivism rates for offenders sentenced to Virginia local community-based probation programs. Future studies will build on this review, and, will increase the scope and size of the sample; include more variables such as age, education and socioeconomic status, include a cross-reference of original conviction versus new conviction, and analyze criminal history and its affect on recidivism rates.

INTRODUCTION

In 1994 the Commonwealth of Virginia reformed sentencing and parole practices. As part of the sweeping reform, the **Comprehensive Community Corrections Act for Local-Responsible Offenders (CCCA)** was passed to help improve and ensure public safety at the local level. The CCCA authorizes localities to establish agencies that provide local probation supervision to local-responsible offenders. (See Appendix E.) As part of their supervision, offenders may be required to undergo substance use testing; pay fines, costs, and restitution; perform community service; and/or complete a variety of treatment programs.

Agencies established under the CCCA have been widely accepted and relied upon by the courts. In FY2003, Virginia Courts placed over 32,000 offenders on local probation supervision. This has increased dramatically over the years, as in FY1997 only about 20,000 offenders were placed. The increase in placements, combined with increased supervision requirements has translated into a 254% increase in the local probation average daily caseload since 1994 (from approximately 5,000 to over 17,800).¹

With the CCCA came a commitment by individuals, localities, and the Virginia Department of Criminal Justice Services to be accountable for activities. This is accomplished through setting and meeting various goals and objectives, uniform statewide reporting, education, change, and evaluation.

- Each year, individual CCCA agencies are required to establish goals and objectives. Their progress is reported to the Virginia Department of Criminal Justice Services (DCJS), a local Community Criminal Justice Board, and other local governing bodies.
- DCJS collects extensive monthly utilization and outcome data as well as quarterly financial data. This information is provided to legislative and executive branch officials on a routine and ad hoc basis. DCJS has also established a basic education program for all new local agency staff and produces basic standards and guidelines for agency operation.
- The Virginia Community Criminal Justice Association (VCCJA) was created to, among other things, strengthen support for local community corrections efforts. VCCJA holds an annual training conference for CCCA agency staff, works with DCJS to develop regional trainings, produces legislative information packages, and supports various local agency efforts.

Training efforts have extended well beyond those sponsored by DCJS and VCCJA. Many CCCA agencies have been able to benefit from training provided by the National Institute of Corrections and other national and international organizations. The result has been an awareness and understanding of the latest research on criminal behavior, an acceptance of needed operational changes, programs implemented to address specific needs, and research and evaluation. These efforts have been undertaken by individual agencies as well as by agencies working collaboratively.

Collaborative Research and Evaluation Effort

In 2000, three agencies authorized by the CCCA came together in an attempt to validate the use of an internationally recognized risk and needs assessment tool for local probation populations: the Level of Service Inventory Screening (LSI) and the Level of Services Inventory-Revised (LSI-R). The project identified several goals to address the misguided assumption that just because an offender has a low-level offense, he/she is also low-risk for re-offending. Extensive research demonstrates that the instant offense is not the sole indicator of recidivism and that various static and dynamic criminogenic tendencies must be considered when determining risk. The goals of the project included:

1. Develop an assessment-based profile of local-responsible offenders placed in agencies authorized under the CCCA.
2. Train case management and treatment staff on criminogenic tendencies, match treatment based on assessments, and work with offenders to reduce risk of recidivism.
3. Educate criminal justice and treatment stakeholders on the importance of addressing criminogenic tendencies when working with offenders.

¹ *Comprehensive Community Corrections Act and Pretrial Services Act Annual Legislative Report July 2002-June 2003*, Department of Criminal Justice Services, December 2003.

4. Identify and develop treatment programming for CCCA agency participants based on the assessment profile.
5. Determine whether the LSI and/or LSI-R can be incorporated as a standardized risk/assessment tool for local community corrections agencies.

The second and third goals were easily accomplished with the assistance of the National Institute of Corrections (NIC), the International Community Corrections Association (ICCA), and DCJS. During the six month pilot of the LSI and LSI-R it became apparent to the participating agencies and the consultants provided by NIC that the project would have to be extended in order to consider the recidivism activities of those tested.

The participating agencies decided that recidivism should be more carefully considered; therefore each agreed to begin tracking recidivism. The decision to look more closely at recidivism was not entered into lightly. With no research or evaluation funds, the work would be limited and done by existing staff. Furthermore, the results, if negative, could possibly reflect poorly on CCCA agencies. However, each participating agency agreed on the need to establish a baseline recidivism study. Moreover, the participating agencies agreed the study be re-conducted on a regular basis, taking changes in programming and the law into account. Ideally, the results would yield valuable information, which in turn could be used to improve programming and ensure that local CCCA agencies were successful at reducing the future criminal activity of those under their supervision.

The Participating Agencies

Each of the three participating agencies represents a different component of Virginia's population and devoted time and internal resources to the project.

- Chesterfield Community Corrections and Pretrial Services – This agency serves both Chesterfield County and the City of Colonial Heights. Located in the Richmond Metropolitan Area of the state, Chesterfield is a large, heavily populated county. Chesterfield has a strong economic base, providing both a large tax base and many employment opportunities. The county is mostly suburban, but does include areas that are fairly rural in nature. The City of Colonial Heights is in the tri-city area between Hopewell and Petersburg and is contiguous to Chesterfield County. Colonial Heights' population is stable at approximately 17,000, but swells to almost 60,000 due to the business activity and a major regional shopping mall. Crime is impacted significantly by I-95, a major interstate highway that cuts through both Colonial Heights and Chesterfield County.
 - Hampton-Newport News Criminal Justice Agency – This agency provides services for the Cities of Hampton and Newport News. Located in the Hampton Roads Area of the state, the population of the two urban cities is approximately 320,000. The two cities generally have higher than average unemployment rates and lower than average income rates. The military has a strong presence in the area, but employment opportunities are limited.
 - Rappahannock Regional Jail – This agency serves the counties of Spotsylvania, Stafford, King George and to the City of Fredericksburg. These localities are located on the I-95 corridor 50 miles north of Richmond and 50 miles south of Washington D.C. The area's population is approximately 219,000, and, according to the 2000 census, it was the fastest growing region (based on percentage growth) in the Commonwealth of Virginia.
-

METHODOLOGY

Sampling Time Frame

The participating agencies agreed to look at recidivism from a longer-term perspective, a minimum of three years following case closure. Though many studies look at one year or less, researchers tend to agree that a three-year window provides a more comprehensive picture of recidivism.

Data Collection

Based on all community corrections cases closed between July 1,1996 and June 30,1997, each agency obtained a random sample of 10%; a sample size recommended by University of Cincinnati experts assisting in the risk and needs project. Specific identifying information was assembled on the sample in order to access follow-up arrest and conviction data. Printouts on each individual were completed and provided to the participating agencies by the Virginia Department of State Police. Missing conviction information was obtained through the Supreme Court Data System.

Data Extraction and Analysis

Once all data had been gathered, the participating agencies examined both re-conviction and re-arrest rates for the sample population. Re-arrest, or new arrest, was defined as any arrest that occurred following the closure of the offenders' community corrections case, and re-conviction was defined as any new conviction resulting from a new arrest. The participating agencies further divided the total number of re-arrests and re-convictions into the following categories²:

- Total number of record checks requested, number of records returned with no new arrests, and number of record checks returned with no new convictions-each divided by the offense type of the original community corrections case.
- Number of records returned with a felony as the highest new arrest/conviction, divided by the offense type of the original community corrections case.
- Number of records returned with a misdemeanor as the highest new arrest/conviction, divided by the offense type of the original community corrections case.
- Number of new arrests/convictions against person, divided by the offense type of the new arrest/conviction.
- Number of new arrests/convictions against property, divided by the offense type of the new arrest/conviction.
- Number of new arrests/convictions against person, divided by the offense type of the new arrest/conviction.
- Number of new arrests/convictions classified as group B, divided the offense type of the new arrest/conviction.
- Total number of record checks requested, number of records returned with no new arrests, and number of record checks returned with no new convictions-each divided by the offense type of the original community corrections case and sub-divided by the closure type of that case.
- Number of records returned with a felony as the highest new arrest/conviction, divided by the offense type of the original community corrections case and sub-divided by the closure type of that case.

² Matrices of these categories can be found in Appendix B and Appendix C.

- Number of records returned with a misdemeanor as the highest new arrest/conviction, divided by the offense type of the original community corrections case and sub-divided by the closure type of that case.
- Number of new arrests/convictions against person, divided by the offense type of the new arrest/conviction and sub-divided by the closure type of the original community corrections case.
- Number of new arrests/convictions against property, divided by the offense type of the new arrest/conviction and sub-divided by the closure type of the original community corrections case.
- Number of new arrests/convictions against person, divided by the offense type of the new arrest/conviction and sub-divided by the closure type of the original community corrections case.

The participating agencies also determined the average length of time between the community corrections case closure and the first new arrest for its sample populations. Appendix A, Recidivism Review Instructions, details the process used to gather all of the above data and includes samples of both the letter sent to the Virginia State Police requesting the follow-up record checks, and the matrices used to record the resulting data.

FINDINGS

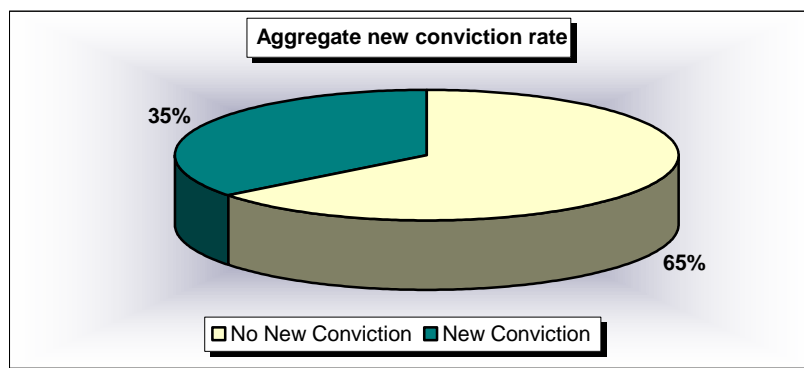
Each participating agency collected and reported their recidivism review data individually. The data is presented in its entirety in Appendix B and Appendix C. The following discussion highlights the key findings of the review.

Conviction Data

The term “conviction” for this study refers to individuals who have been arrested and convicted of a crime(s) within three years after their community corrections case was closed. Therefore the *Conviction Data* section of this study is an evaluation of these individuals, relative to the total sample population.

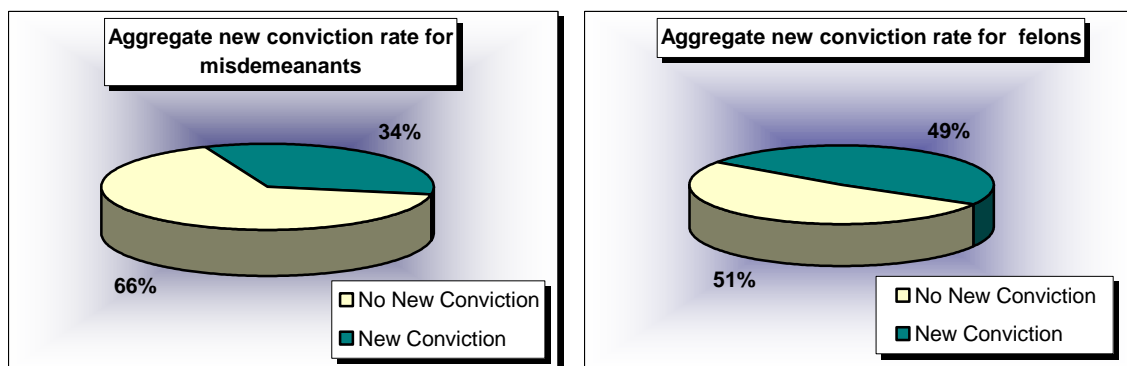
Total re-conviction rates

Overall, 65% of sample population had no reported new convictions for a minimum period of three years after being released or terminated from supervision. This 65% non-reconviction rate includes all misdemeanants and felons reviewed by all three localities.



Re-conviction rates by charge classification

Of the total cases reviewed (n=344), 309 were misdemeanor and 35 were felony cases. Of the misdemeanor cases, 34% (n=105) were arrested and convicted of a new crime. Of the felony cases, 49% (n=17) were arrested and convicted of a new crime. These figures suggest that individuals under supervision for a felony charge are more likely to be convicted of a new crime than individuals under supervision for a misdemeanor charge.



Because one of the main objectives for this review is to establish a baseline from which future reviews can be compared, it was determined that it would be beneficial to examine whether or not offenders that had new convictions increased the seriousness of their offenses. By extracting this group, a sub-sample of 105 cases was designated as re-offenders (individuals convicted of a new crime after being released or terminated from supervision).

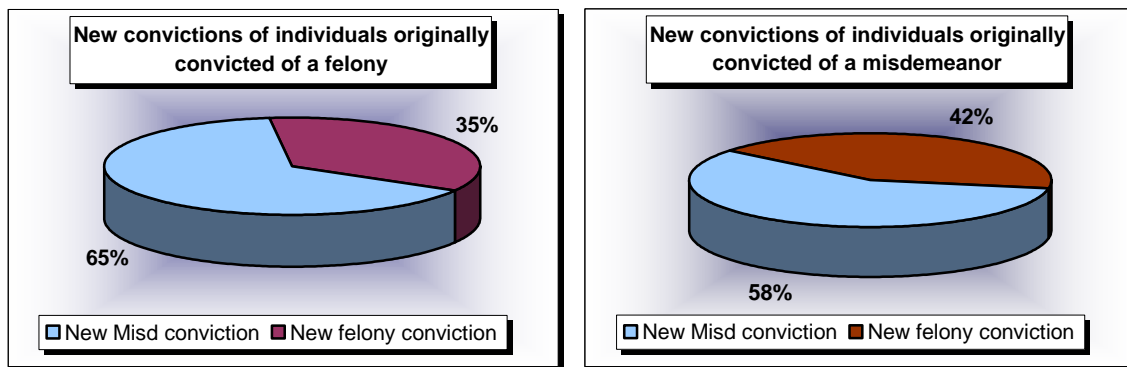
Of the 105 re-offenders originally under supervision for a misdemeanor:

- 58% (n=61) were convicted of another misdemeanor
- 42% (n=44) were convicted of a felony charge

Of the 17 re-offenders originally under supervision for a felony:

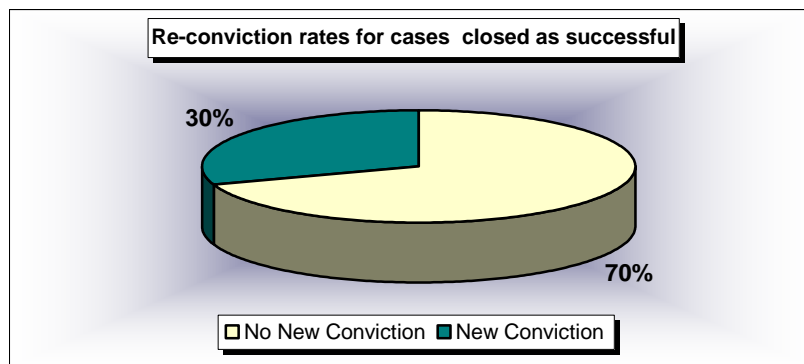
- 65% (n=11) were convicted of a misdemeanor
- 35% (n=6) were convicted of another felony

The data shows that 58% of re-offenders originally convicted of a misdemeanor did not commit a more serious crime, i.e. felony. These figures also suggest that 65% of re-offenders originally convicted of a felony charge, re-offended by committing a less serious crime, i.e. misdemeanor. It is important to note that while these figures may correctly represent trends for re-offenders originally convicted of a misdemeanor, they may not correctly represent the trends of re-offenders originally convicted of a felony, as the felony sample size is relatively small and is not representative of the participating localities.³



Re-conviction rates based on case closure

In looking at new convictions based on the offenders' community corrections closure type⁴ cases closed as "other" were excluded from calculations, resulting in a sample of 332 cases.⁵ Of these cases, 262 cases closed successfully.

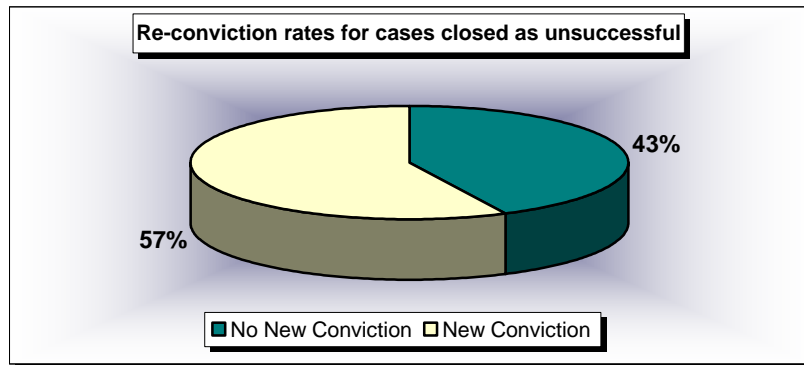


³ Although the data collected for the sample was random, the Hampton-Newport News Agency, which constitutes 57% of the total cases reviewed, had no felony cases in its sample, therefore skewing the results for felonies.

⁴ The three types of case closure are as follows: Unsuccessful, removal from supervision by the court for failure to comply with the terms and conditions of supervision, including the issuance of a capias for failure to comply with a court order; Successful, An offender approved by a judiciary officer as having met the conditions of post trial supervision; Other, arrest on old warrant, death of offender, offender is a transfer-in from another agency.

⁵ Cases closed as "other" were excluded from the calculations in this section, as there is no way to indicate whether the case was successful or unsuccessful, therefore possibly skewing the results. Note: when looking at this adjusted sample, the reconviction rate drops to 30%.

Based on cases closed unsuccessfully (n=70), 57% (n=40) were convicted of a new crime after being terminated from local community corrections supervision. *These figures, along with the figures for successful closings, suggest that individuals who complete supervision successfully are nearly two times less likely to commit a new crime than individuals who do not complete supervision successfully.*

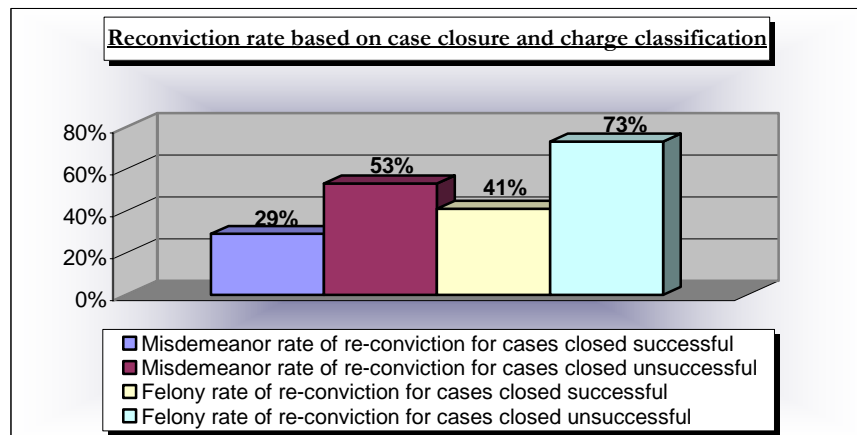


In order to further evaluate the observation that individuals who complete supervision successfully are less likely to commit a new crime, it was decided to examine the dissimilarity of not only successful and unsuccessful cases, but successful and unsuccessful cases segregated by charge classification, i.e. misdemeanor or felony.

Of the cases closed successfully, 92% (n=240) were misdemeanor cases, and 8% (n=22) were felony cases. Of the cases closed unsuccessfully, 84% (n=59) were misdemeanor cases, and 16% (n=11) were felony cases.

In examining these cases:

- 71% of the successful misdemeanor cases had no new convictions.
- 59% of the successful felony cases had no new convictions.
- 53% of the unsuccessful misdemeanor cases had new convictions.
- 73% of the unsuccessful felony cases had new convictions.



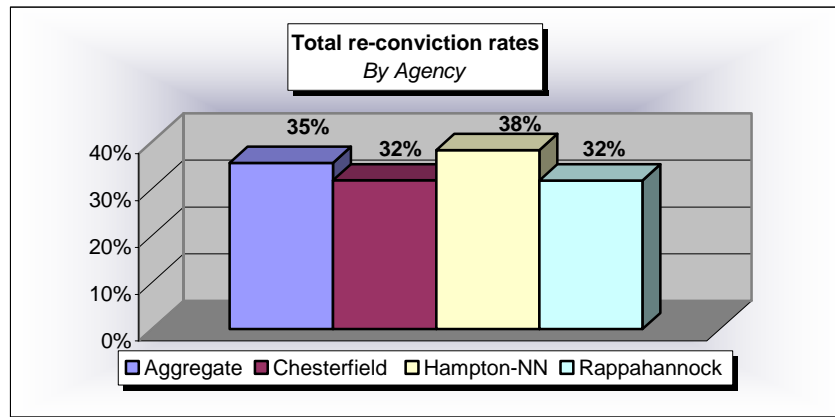
This data suggests:

- An offender who's case is closed successfully is approximately two times less likely to be convicted of a new crime than an offender who's case is closed unsuccessfully.
- Offenders who are unsuccessful in completing supervision for felony charges are more likely to commit a new crime than offenders who are unsuccessful in completing supervision for misdemeanor charges. In other words, an offender who is originally under supervision for committing a felony, and who's case is closed as unsuccessful, is approximately one and a half

times more likely to be convicted of a new crime than an offender who is originally under supervision for committing a misdemeanor who's case is closed unsuccessfully.

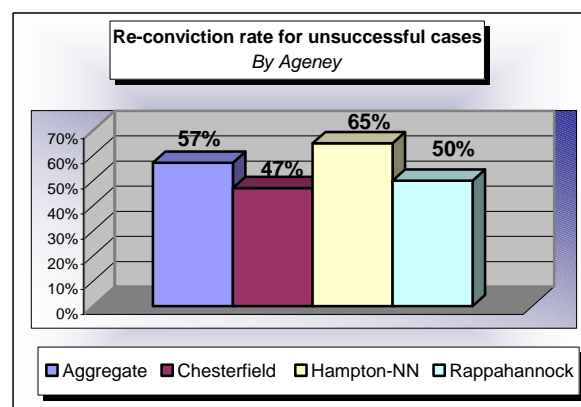
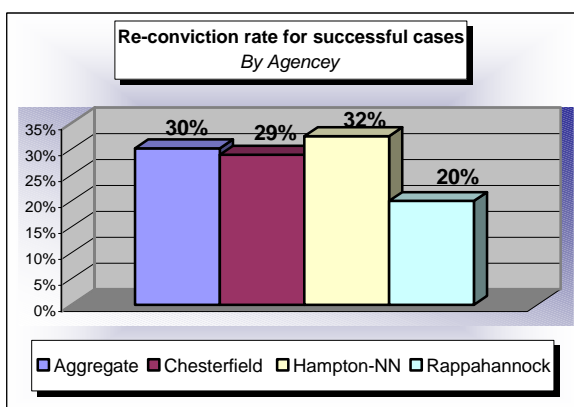
Comparison of Re-conviction Rates by Locality

While the purpose of this review was to obtain and examine aggregate data from all three of the participating localities, it is appropriate to briefly illustrate re-conviction rates for each locality independently. Since recidivism studies with a population similar to the study population could not be located, and since other studies differ widely in regard to how recidivism is defined, this comparison between participating agencies allows a degree of recidivism comparison.



The following is a synopsis of total re-conviction rates, and re-conviction rates based on case closure⁴, of each locality⁶:

- When separated by agency the overall re-conviction rate for offenders under local community corrections in Chesterfield was 32%; Hampton-Newport News was 38%; and Rappahannock was 32%. Each is similar to the aggregate re-conviction rate of 35%.
- If examined separately, the data from each agency shows that, like the aggregate data, offenders who were successful under supervision were less likely to be re-convicted than offenders who were unsuccessful.
- The data shows a wide variance in the re-conviction rates between the participating agencies when broken down by specific variables. This may be due to factors such as agency size, geographic location and crime type.⁷ It is recommended further analysis of these variables be included in future studies.



⁶ Each participating agency reported their data individually and that data is presented in its entirety in Appendix C.

⁷ While all agencies may have the same ratio of felony cases to misdemeanor cases, the destitution of the types of felonies and misdemeanors from agency to agency may be different.

Arrest Data

The term “arrest” for this study refers to individuals who have been arrested for a crime(s) within at least three years of their community corrections closing date. Because an arrest does not guarantee re-conviction, this study focuses on re-conviction data; however, because many recidivism studies are conducted using arrest data only, it is included in this report for possible future metadata comparisons. The following section is a brief evaluation of the arrest data relative to the total sample population⁸:

- Figures indicate that arrest rates for all categories except unsuccessful felony cases, are approximately 10% higher than actual convictions.
- Overall, 54% (n= 187) of the individuals in the sample were not re-arrested after being released or terminated from supervision.
- Of cases that closed as successful, 60% (n=156) had no new arrest after being released from local community corrections supervision.
- Of cases that closed as unsuccessful, 36% (n=25) had no new arrests after being terminated from local community corrections supervision.
- Individuals who complete supervision successfully are less likely to be arrested for a new crime.

⁸ See Appendix F for additional arrest data evaluation.

RECOMMENDATIONS

Because the data in this review represents only one year, it was decided not to draw any definitive conclusions but rather to offer the following recommendations:

- To ensure more accurate representation of data, increase sample population to 20% of all cases closed during the Fiscal Year.
 - Review the sample in relation to when the arrests and convictions occurred following supervision.
 - Repeat the review on a regular basis, continuing to look at offenders whose community corrections cases closed three years prior to the current fiscal year and documenting any changes in supervision techniques, court practices, and general population demographics.
 - Compare recidivism rates for individuals under local community-based probation programs to other programs with similar offender populations.
 - Examine offender demographics such as age, education, socioeconomic status and employment, and their affect on recidivism rates.
 - Include a cross-reference of original crime type versus new crime type, i.e. did an individual commit the same type of crime?
 - Include the amount spent per client by charge type.
 - Once several years of data have been gathered, conduct a trend analysis to determine if changes in supervision techniques, court practices, etc. have affected either re-arrest or re-conviction rates.
 - Once several years of data have been gathered, collaborate with a research group or university to validate the study.
 - Review service referral completion types in addition to program closure type to determine if successful completion of service referrals affects either re-arrest or re-conviction rates. Also, review other services that offenders might receive outside of their community corrections based service referrals to determine if those services affect re-arrest and re-conviction rates.
 - Include in the identifying offender information whether or not the offender was re-instated to supervision and compare non-reinstated re-arrest and re-conviction rates to re-instated rates.
 - Encourage other individual local community correction agencies to conduct similar studies to establish a baseline for recidivism.
-

ACKNOWLEDGEMENTS

We wish to express our appreciation to the following individuals and organizations for their contributions to this study (in alphabetical order):

- Anita Ault, *Planner*, Rappahannock Regional Jail
 - Kristina Bryant, Chesterfield Community Corrections
 - Stephen D. Childress, *Captain*, Virginia State Police
 - Tracey Jenkins, *Director*, Hampton-Newport News Criminal Justice Agency
 - Dr. Ed Latessa, *Professor*, University of Cincinnati
 - Rick Martin, *Director*, Rappahannock Regional Jail
 - Glen Peterson, *Director*, Chesterfield County Community Corrections
 - Shauna Strickland, *Data Management & Evaluation Analyst*, Hampton-Newport News Criminal Justice Agency
 - Andy Warriner, *Data Management & Evaluation Analyst*, Hampton-Newport News Criminal Justice Agency
-

APPENDIX A:

RECIDIVISM REVIEW INSTRUCTIONS

Recidivism Review Instructions

In 2001, three Virginia community corrections agencies conducted a recidivism review that looked at the re-arrest and re-conviction rates of a sample of their respective populations that closed three fiscal years prior to the time of the study. In addition, the agencies also determined the average length of time between case closure and re-arrest. This information, along with other data that can be pulled from the sample, proved very useful to the agencies. To follow are the instructions for conducting the recidivism review:

1. Obtain a list of all offenders that closed during the fiscal year being studied. It is recommended that that fiscal year be at least three years prior to the current fiscal year in order to get a longer-term perspective on the recidivism data. It is also recommended that the data be collected using an Excel worksheet since that format allows for easy expansion/transfer of information. The following information should be collected on each offender:
 - a. Last name
 - b. First name
 - c. Middle name (if available)
 - d. Sex
 - e. Race
 - f. Date of birth
 - g. Intake date (optional)
 - h. Offense type (misd. or felon) of the charge for which the defendant was supervised
 - i. Type of closure (successful, unsuccessful, etc.)
 - j. Date of closure
 - k. Social Security number or other in-house identifier (optional)
2. From the above list, determine a sample by including every n^{th} case in the sample population list (it is recommended that the sample size be between 10 and 20 percent of the number of cases closed).
3. Use the sample population list to make the Excel spreadsheet that will be saved on the disk sent to the State Police. Attached is a template of the cover letter to be sent along with the disk, and a hard copy of the list can be included if desired. The State Police will run the criminal history for each offender and return the information either on disk (in an Excel format) or in hard copy. Technical assistance can be requested of the State Police if needed. The Excel spreadsheet needs to include the following information:
 - a. Last name
 - b. First name
 - c. Middle name
 - d. Sex
 - e. Race
 - f. Date of birth – use YearMonthDay format, i.e. 19520522
4. When the criminal histories are received, review them for any missing data. If there are offenders with no record returned, check the Virginia Supreme Court

computer and/or the local criminal history databases to determine if there were any new arrests that were not sent to the State Police. This check is locality specific, meaning that only the local jurisdiction needs to be checked for new arrests rather than the entire state. Also check the Virginia Supreme Court computer and/or local criminal history databases for any missing disposition information. Remember that disposition information is needed only on those arrests that occurred following the closure of the offender's community corrections case.

5. Once all of the data has been collected, expand the spreadsheet of the sample population to include the following additional information (one spreadsheet can be used for both arrest and conviction data or two spreadsheets can be created in order to keep the arrest and conviction data separate):

For arrest data

- a. Date of first new arrest following case closure,
- b. Number of new arrests (optional),
- c. The highest* new charge received (*see "f" below for definition),
- d. The offense type of that new charge, and
- e. The category* of the new charge (*see "g" below for description).

For conviction data

- f. Number of new convictions (optional),
- g. The highest new conviction received,
- h. The offense type of that new conviction, and
- i. The category of the new conviction.

6. Use the attached matrices (one for arrests and one for convictions) to guide in reporting re-arrest and re-conviction data. The matrices are the same for both arrests and convictions and are divided so that the information can be captured in a variety of ways. Using the arrest matrix as an example, the matrices work as follows:

- a. The first four (4) rows capture the general overview of the new arrests data and are divided based on the community corrections case offense type,
- b. The next four (4) rows capture the categories of new arrests and are divided by the new arrest offense type,
- c. The third set of four (4) rows uses the information presented in the first four (4) rows, but further divides that information by type of community corrections case closure, and
- d. The last four (4) rows use the information presented in the second set of four (4) rows, but further divides the information by type of community corrections case closure.
- e. The percentages are based on totals then on sub-totals. For example, the total number of offenders with new arrests will be a percentage of the total number of record checks requested, and the sub-total number of offenders with a felony as the highest new arrest will be a percentage of the total number of offenders with new arrests.
- f. The highest arrest is defined as the most serious arrest that the offender has following the community corrections case closure. For example, an

offender might have been arrested for possession of cocaine and maiming. The maiming arrest is the higher of the two arrests in that it is a felony charge and it is considered a crime against a person.

- g. *Crime in Virginia* lists the offenses in each category (person, property, society, or group B) and is used to determine the categories for the new arrests.
 - h. The conviction matrix has an additional row labeled no new convictions and is included in order to demonstrate that not all offenders who were re-arrested were, in turn, re-convicted. This distinction is important when defining recidivism.
7. Determine the average length of time between case closure and first new arrest. The easiest way to arrive at this number is to have it calculated by the Excel spreadsheet. By inserting the appropriate formulas, Excel will determine the number of days to first arrest for each case that has a new arrest, and it will find the minimum, maximum, and average length of time between case closure and first new arrest for the entire sample. This statistic is a useful addition to the re-arrest and re-conviction rates in that it adds a time frame to the review.

May 23, 2001

Captain Stephen D. Childress
Criminal Justice Information Services Division
Department of State Police
P.O. Box 27472
Richmond, VA 23261-7472

Dear Captain Childress:

The purpose of this letter is to advise you that our Agency is conducting research on recidivism that occurred with a sample of our client population that was released from the program during FY97. This research will be included in an evaluation of the effectiveness of supervision and treatment that is offered to those offenders placed under the supervision of our program. As indicated in 19.2.389.4, we would limit the use of this data to research, evaluation, or statistical purposes and would ensure the confidentiality and security of the data. We would strip the data of any identifiers (name, case number, date of birth, etc.) and analyze it at the aggregate level.

We are submitting this request with both a diskette and a hard copy containing names in the following format:

- Excel Worksheet
- Last Name – 18 characters maximum
- First Name – 12 characters maximum
- Gender
- Race
- Date of Birth – 8 characters maximum (CCYYMMDD)
- Example:

Jones	William	M	B	19550704
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Thank you for your help with this endeavor. If you have any questions, please contact me at 757-726-5431.

Sincerely,

Director

Aggregate Recidivism Review (FY_____) Data

Arrest Data

	CC Charge M (%)	CC charge F (%)	Total (%)
Total record checks requested			
Record checks returned with no new arrests			
Number returned with a felony as highest arrest			
Number returned with a misdemeanor as highest arrest			
	New Charge M (%)	New Charge F (%)	Total (%)
Number of new arrests against person			
Number of new arrests against property			
Number of new arrests against society			
Number of new arrests classified as Group B			

Arrest Data by CC Closure Type

	CC Charge M				CC charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Total record checks requested								
Record checks returned with no new arrests								
Number returned with a felony as highest arrest								
Number returned with a misd. as highest arrest								
	New Charge M				New Charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Number of new arrests against person								
Number of new arrests against property								
Number of new arrests against society								
Number of new arrests classified as Group B								

*Average length of time to 1st new arrest:

Aggregate Recidivism Review (FY _____) Data

Conviction Data

	CC Charge M (%)	CC charge F (%)	Total (%)
Total record checks requested			
Record checks returned with no record or no new arrests			
Record checks returned with no new convictions			
Number returned with a felony as highest conviction			
Number returned with a misdemeanor as highest conviction			
	New Charge M (%)	New Charge F (%)	Total (%)
Number of new convictions against person			
Number of new convictions against property			
Number of new convictions against society			
Number of new convictions classified as Group B			

Conviction Data by CC Closure Type

	CC Charge M				CC charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Total record checks requested								
Record checks returned with no arrests								
Record checks returned with no new convictions								
Number returned with a felony as highest conviction								
Number returned with a misd. as highest conviction								
	New Charge M				New Charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Number of new convictions against person								
Number of new convictions against property								
Number of new convictions against society								
Number of new convictions classified as Group B								

APPENDIX B:

ARREST DATA BY AGENCY

Aggregate Recidivism Review (FY96-97) Data for Chesterfield Community Corrections

Arrest Data

	CC Charge M (%)	CC charge F (%)	Total (%)
Total record checks requested	73 (70%)	31 (30%)	104 (10% of FY closings)
Record checks returned with no new arrests	46 (78%)	13 (22%)	59 (57%)
Number returned with a felony as highest arrest	7 (16%)	8 (18%)	45 (43%)
Number returned with a misdemeanor as highest arrest	20 (44%)	10 (22%)	
	New Charge M (%)	New Charge F (%)	Total (%)
Number of new arrests against person	6 (67%)	3 (33%)	9 (20%)
Number of new arrests against property	4 (36%)	7 (64%)	11 (24%)
Number of new arrests against society	10 (77%)	3 (23%)	13 (29%)
Number of new arrests classified as Group B	10 (83%)	2 (17%)	12 (27%)

Arrest Data by CC Closure Type

	CC Charge M				CC charge F			
	Succ	Unsucc	Unkn	Other	Succ	Unsucc	Unkn	Other
Total record checks requested	63	8	2	0	20	9	1	1
Record checks returned with no new arrests	40	5	1	0	8	3	1	1
Number returned with a felony as highest arrest	6	1	0	0	6	2	0	0
Number returned with a misd. as highest arrest	17	2	1	0	6	4	0	0
	New Charge M				New Charge F			
	Succ	Unsucc	Unkn	Other	Succ	Unsucc	Unkn	Other
Number of new arrests against person	10	0	0	0	7	0	0	0
Number of new arrests against property	1	1	0	0	2	1	0	0
Number of new arrests against society	8	2	0	0	2	2	0	0
Number of new arrests classified as Group B	4	3	1	0	1	0	0	0

*Average length of time to 1st new arrest: 16 months

Aggregate Recidivism Review (FY 96-97) Data for Hampton-Newport News Community Corrections

Arrest Data

	CC Charge M (%)	CC charge F (%)	Total (%)
Total record checks requested	199 (10% of FY closes)	0	199 (10% of FY closes)
Record checks returned with no new arrests	103 (52%)	0	103 (52%)
Number returned with a felony as highest arrest	68 (71%)	0	96 (48%)
Number returned with a misdemeanor as highest arrest	28 (29%)	0	
	New Charge M (%)	New Charge F (%)	Total (%)
Number of new arrests against person	13 (42%)	18 (58%)	31 (32%)
Number of new arrests against property	4 (17%)	19 (83%)	23 (24%)
Number of new arrests against society	0	22 (100%)	22 (23%)
Number of new arrests classified as Group B	11 (55%)	9 (45%)	20 (21%)

Arrest Data by CC Closure Type

	CC Charge M				CC charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Total record checks requested	154	37	2	6	0	0	0	0
Record checks returned with no new arrests	88	9	0	5	0	0	0	0
Number returned with a felony as highest arrest	42	25	1	1	0	0	0	0
Number returned with a misd. as highest arrest	24	3	1	0	0	0	0	0
	New Charge M				New Charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Number of new arrests against person	12	1	0	0	10	8	0	0
Number of new arrests against property	4	0	0	0	10	7	1	1
Number of new arrests against society	0	0	0	0	14	8	0	0
Number of new arrests classified as Group B	8	2	1	0	7	2	0	0

*Average length of time to 1st new arrest: 15 months

Aggregate Recidivism Review (FY 96-97) Data for Rappahannock Regional Jail Community Corrections

Arrest Data

	CC Charge M (%)	CC charge F (%)	Total (%)
Total record checks requested	37 (90%)	4 (10%)	41 (10% of FY closings)
Record checks returned with no new arrests	24 (96%)	1 (4%)	25 (61%)
Number returned with a felony as highest arrest	7 (44%)	0	16 (39%)
Number returned with a misdemeanor as highest arrest	6 (37%)	3 (19%)	
	New Charge M (%)	New Charge F (%)	Total (%)
Number of new arrests against person	2 (67%)	1 (33%)	3 (19%)
Number of new arrests against property	0	0	0
Number of new arrests against society	11 (85%)	2 (15%)	13 (81%)
Number of new arrests classified as Group B	0	0	0

Arrest Data by CC Closure Type

	CC Charge M				CC charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Total record checks requested	23	14	0	0	2	2	0	0
Record checks returned with no new arrests	17	7	0	0	1	0	0	0
Number returned with a felony as highest arrest	1	2	0	0	0	0	0	0
Number returned with a misd. as highest arrest	5	5	0	0	1	2	0	0
	New Charge M				New Charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Number of new arrests against person	2	0	0	0	0	1	0	0
Number of new arrests against property	0	0	0	0	0	0	0	0
Number of new arrests against society	4	7	0	0	1	1	0	0
Number of new arrests classified as Group B	0	0	0	0	0	0	0	0

*Average length of time to 1st new arrest: 20 months

APPENDIX C:

CONVICTION DATA BY AGENCY

Aggregate Recidivism Review (FY96-97) Data for Chesterfield Community Corrections

Conviction Data

	CC Charge M (%)	CC charge F (%)	Total (%)
Total record checks requested	73 (70%)	31 (30%)	104 (10% of FY closings)
Record checks returned with no record or no new arrests	46 (65%)	13 (18%)	71 (68%)
Record checks returned with no new convictions	8 (11%)	4 (6%)	
Number returned with a felony as highest conviction	4 (12%)	6 (18%)	33 (32%)
Number returned with a misdemeanor as highest conviction	15 (46%)	8 (24%)	
	New Charge M (%)	New Charge F (%)	Total (%)
Number of new convictions against person	8 (100%)	0	8 (24%)
Number of new convictions against property	2 (33%)	4 (67%)	6 (18%)
Number of new convictions against society	5 (56%)	4 (44%)	9 (27%)
Number of new convictions classified as Group B	8 (80%)	2 (20%)	10 (31%)

Conviction Data by CC Closure Type

	CC Charge M				CC charge F			
	Succ	Unsucc	Unkn	Other	Succ	Unsucc	Unkn	Other
Total record checks requested	63	8	2	0	20	9	1	1
Record checks returned with no arrests	40	5	1	0	8	3	1	1
Record checks returned with no new convictions	7	1	0	0	4	0	0	0
Number returned with a felony as highest conviction	3	1	0	0	4	2	0	0
Number returned with a misd. as highest conviction	13	1	1	0	4	4	0	0
	New Charge M				New Charge F			
	Succ	Unsucc	Unkn	Other	Succ	Unsucc	Unkn	Other
Number of new convictions against person	8	0	0	0	0	0	0	0
Number of new convictions against property	1	1	0	0	4	0	0	0
Number of new convictions against society	3	2	0	0	2	2	0	0
Number of new convictions classified as Group B	5	2	1	0	1	1	0	0

Aggregate Recidivism Review (FY 96-97) Data for Hampton-Newport News Community Corrections

Conviction Data

	CC Charge M (%)	CC charge F (%)	Total (%)
Total record checks requested	199 (10% of FY closings)	0	199 (10% of FY closings)
Record checks returned with no record or no new arrests	103 (84%)	0	123 (62%)
Record checks returned with no new convictions	20 (16%)	0	
Number returned with a felony as highest conviction	36 (47%)	0	76 (38%)
Number returned with a misdemeanor as highest conviction	40 (53%)	0	
	New Charge M (%)	New Charge F (%)	Total (%)
Number of new convictions against person	12 (71%)	5 (29%)	17 (22%)
Number of new convictions against property	8 (38%)	13 (62%)	21 (28%)
Number of new convictions against society	5 (25%)	15 (75%)	20 (26%)
Number of new convictions classified as Group B	15 (83%)	3 (17%)	18 (24%)

Conviction Data by CC Closure Type

	CC Charge M				CC charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Total record checks requested	154	37	2	6	0	0	0	0
Record checks returned with no arrests	88	9	1	5	0	0	0	0
Record checks returned with no new convictions	16	4	0	0	0	0	0	0
Number returned with a felony as highest conviction	19	15	1	1	0	0	0	0
Number returned with a misd. as highest conviction	31	9	0	0	0	0	0	0
	New Charge M				New Charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Number of new convictions against person	8	4	0	0	2	4	0	0
Number of new convictions against property	7	1	0	0	8	3	1	1
Number of new convictions against society	3	2	0	0	8	6	0	0
Number of new convictions classified as Group B	12	2	1	0	1	2	0	0

Aggregate Recidivism Review (FY 96-97) Data for Rappahannock Regional Jail Community Corrections

Conviction Data

	CC Charge M (%)	CC charge F (%)	Total (%)
Total record checks requested	37 (90%)	4 (10%)	41 (10% of FY closings)
Record checks returned with no record or no new arrests	24 (85%)	1 (4%)	28 (68%)
Record checks returned with no new convictions	2 (7%)	1 (4%)	
Number returned with a felony as highest conviction	2 (15%)	1 (8%)	13 (32%)
Number returned with a misdemeanor as highest conviction	8 (62%)	2 (15%)	
	New Charge M (%)	New Charge F (%)	Total (%)
Number of new convictions against person	0	0	0
Number of new convictions against property	0	0	0
Number of new convictions against society	9 (100%)	0	9 (69%)
Number of new convictions classified as Group B	1 (25%)	3 (75%)	4 (31%)

Conviction Data by CC Closure Type

	CC Charge M				CC charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Total record checks requested	23	14	0	0	2	2	0	0
Record checks returned with no arrests	17	7	0	0	1	0	0	0
Record checks returned with no new convictions	1	1	0	0	0	0	0	0
Number returned with a felony as highest conviction	1	3	0	0	0	1	0	0
Number returned with a misd. as highest conviction	4	3	0	0	1	1	0	0
	New Charge M				New Charge F			
	Succ	Unsucc	Admin	Ret	Succ	Unsucc	Admin	Ret
Number of new convictions against person	0	0	0	0	0	0	0	0
Number of new convictions against property	0	0	0	0	0	0	0	0
Number of new convictions against society	5	4	0	0	0	0	0	0
Number of new convictions classified as Group B	0	1	0	0	0	3	0	0

APPENDIX D:

2001 CRIME IN VIRGINIA

**LIST OF OFFENSES
BY CRIME CATEGORY**

Against Person	Against Property	Against Society	Group B
Homicide Kidnapping/Abduction Forcible Sex Offenses Assault Offenses Nonforcible Sex Offenses	Robbery Arson Extortion/Blackmail Burglary Larceny Motor Vehicle Theft Counterfeiting/ Forgery Fraud Embezzlement Stolen Property Damage/Vandalism Bribery	Drug Offenses Pornography/ Obscene Material Gambling Offenses Prostitution Weapon Law Violations	Bad Checks Curfew/ Loitering/ Vagrancy Disorderly Conduct Driving Under the Influence Drunkenness Family Offenses, Nonviolent Liquor Laws Peeping Tom Runaway Trespass to Real Property Conspiracy to Commit Group A Offenses Conspiracy to Commit Group B Offenses All Other Offenses

APPENDIX E:

COMPREHENSIVE COMMUNITY CORRECTIONS ACT

Comprehensive Community Corrections Act

§ 9.1-173. Purpose.

It is the purpose of this article to enable any city, county or combination thereof to develop, establish and maintain local community-based probation programs to provide the judicial system with sentencing alternatives for certain misdemeanants or persons convicted of felonies that are not felony acts of violence, as defined in § 19.2-297.1 and sentenced pursuant to § 19.2-303.3, for whom the court imposes a sentence of twelve months or less and who may require less than institutional custody.

The article shall be interpreted and construed so as to:

1. Allow individual cities, counties, or combinations thereof greater flexibility and involvement in responding to the problem of crime in their communities;
2. Provide more effective protection of society and to promote efficiency and economy in the delivery of correctional services;
3. Provide increased opportunities for offenders to make restitution to victims of crimes through financial reimbursement or community service;
4. Permit cities, counties or combinations thereof to operate and utilize local community-based probation programs and services specifically designed to meet the rehabilitative needs of selected offenders; and
5. Provide appropriate post-sentencing alternatives in localities for certain offenders with the goal of reducing the incidence of repeat offenders.

(1980 c. 300, § 53.1-180; 1982, c. 636; 1983, c. 344; 1990, c. 578; 1992, c. 196; 1994, 2nd Sp. Sess., cc. 1, 2; 1995, cc. 502, 574; 1996, c. 568; 2000, c. 1040; 2001, c. 844; 2002, c. 491.)

§ 9.1-174. Establishment of program.

To facilitate local involvement and flexibility in responding to the problem of crime in their communities and to permit locally designed programs which will fit its needs, any city, county or combination thereof may, and any city, county or combination thereof which is required by § 53.1-82.1 to file a community-based corrections plan shall establish a system of community-based services pursuant to this article. This system is to provide alternative programs for defendants and offenders who, pursuant to § 19.2-303.3, are convicted, sentenced and placed on probation services through a court and who are considered suitable candidates for programs which require less than incarceration in a local correctional facility. Such programs and services may be provided by qualified public agencies or private agencies pursuant to appropriate contracts.

(Code 1950, § 53-128.17; 1980, c. 300; 1982, c. 636, § 53.1-181; 1983, c. 344; 1992, c. 196; 1994, 2nd Sp. Sess., cc. 1, 2; 1995, cc. 502, 574; 1999, c. 372; 2000, c. 1040; 2001, c. 844.)

APPENDIX F:

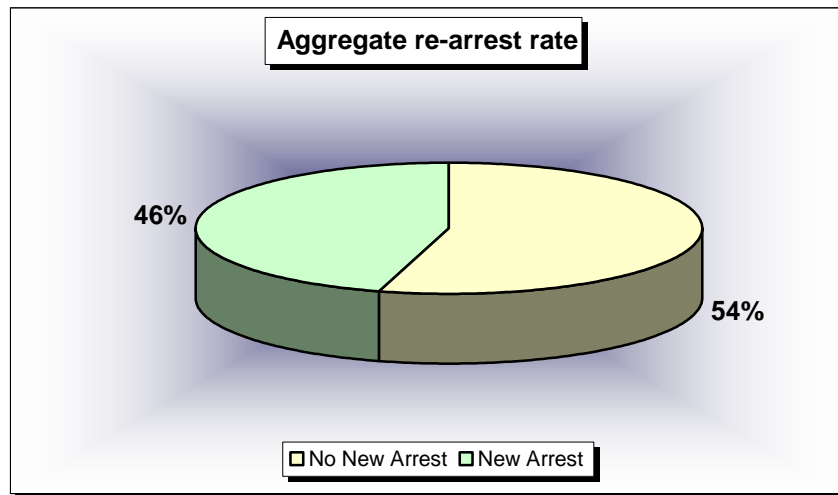
ARREST DATA EVALUATION

Arrest Data

Although it's been established that an arrest is a poor indicator for determining whether an individual has recidivated, in order to establish a baseline, the arrest data is included in this review.

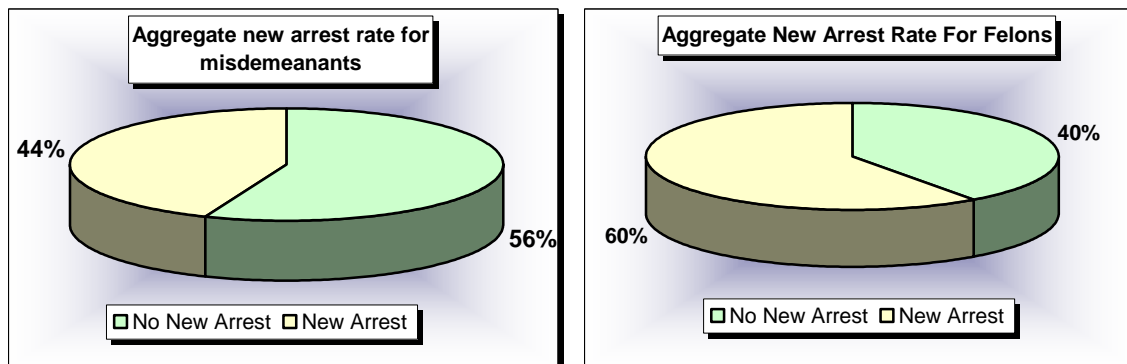
Total re-arrest rates

Overall, 54% (n= 187) of the 344 individuals in the sample were not re-arrested after being released or terminated from supervision. The 54% non re-arrest rate includes all misdemeanants and felons reviewed by all three participating agencies.

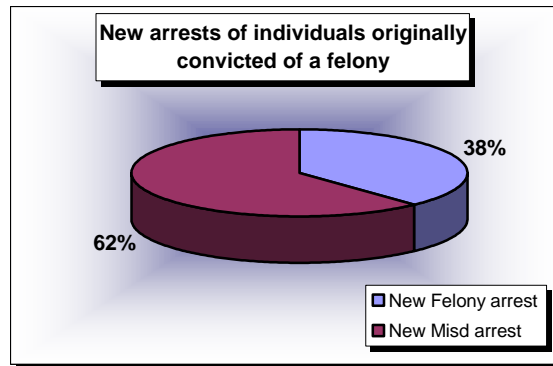
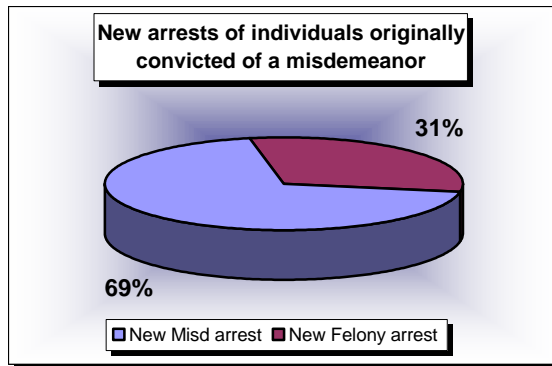


Arrest rates by charge classification

Of the total 344 cases reviewed, 309 were misdemeanor, and 35 were felony cases. Of the 309 misdemeanor cases, 44% (n=136) were arrested for a new crime, and of 35 felony cases, 60% (n=21) were arrested for a new crime. These figures, like those in the previous section, suggest that arrest rates are approximately 10% higher than actual convictions.



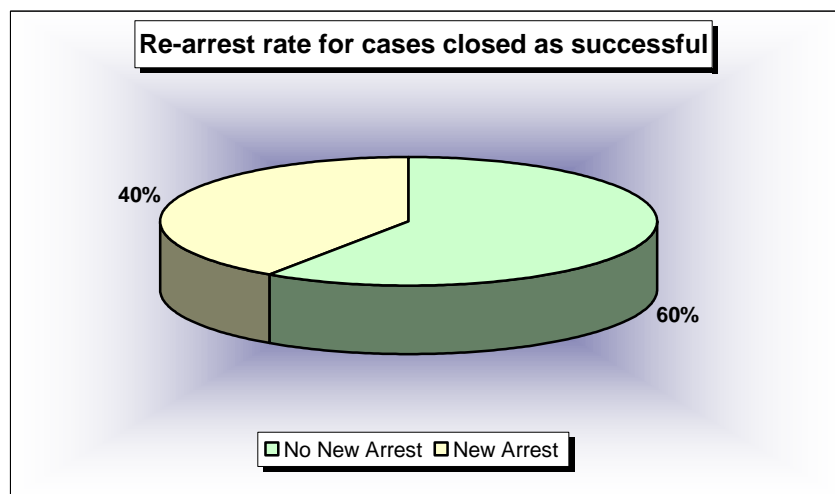
Of the 136 re-arrested individuals under supervision for a misdemeanor, 31% (n=42) were re-arrested for a felony charge, while 69% (n=94) were re-arrested for another misdemeanor. Of the 21 re-arrested individuals under supervision for a felony, 62% (n=13) were re-arrested for a misdemeanor, and, 38% (n=6) were re-arrested for another felony.



For the final part of this section, it was determined the amount of time that passed between the closure of the community corrections case and the offenders' first new arrest. It was determined that the average length of time for all participating agencies was 17 months, with Chesterfield County having an average of 16 months, Hampton-Newport News having an average of 15 months, and Rappahannock Regional Jail having an average of 20 months.

Arrest rates based on case closure

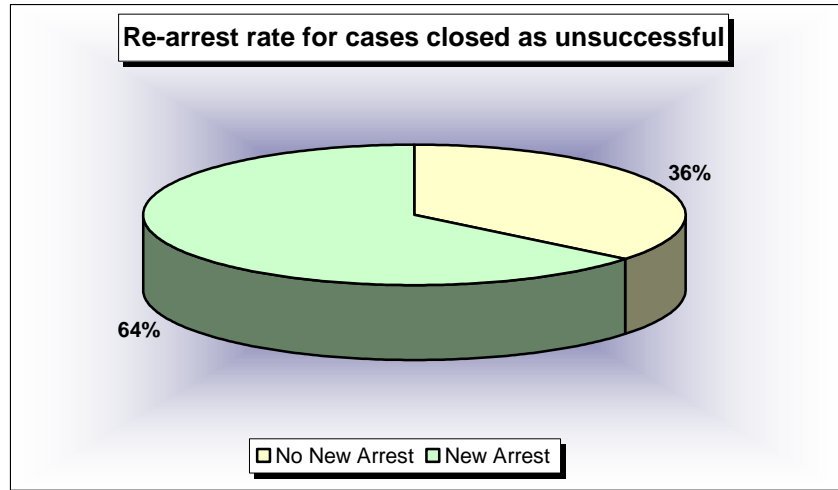
As with re-convictions, the number of new arrests based on the offenders' community corrections closure¹ as reviewed. Cases closed as "other" were excluded from calculations for this section, resulting in an adjusted sample of 332.² Of the 332 total successful and unsuccessful cases reviewed, 262 misdemeanor and felony cases closed as successful. Of the 262 cases that closed as successful, 60% (n=156) had no new arrest after being released from local community corrections supervision.



Of the total cases reviewed (n=332), 70 misdemeanor and felony cases closed as unsuccessful. Of the 70 cases that closed as unsuccessful, only 36% (n=25) had no new arrests after being terminated from local community corrections supervision.

¹ Although the data collected for the sample was random, the Hampton-Newport News Agency, which constitutes 57% of the total cases reviewed, had no felony cases in its sample, therefore skewing the results for felonies.

² The three types of case closure are as follows: Unsuccessful, removal from supervision by the court for failure to comply with the terms and conditions of supervision, including the issuance of a capias for failure to comply with a court order; Successful, An offender approved by a judiciary officer as having met the conditions of post trial supervision; Other, arrest on old warrant, death of offender, offender is a transfer-in from another agency.



Along with re-convictions, the arrest data suggests that individuals who complete supervision successfully are less likely to be arrested for a new crime. As with the re-convictions, it was decided to examine the dissimilarity between not only successful and unsuccessful cases, but also successful and unsuccessful cases segregated by charge classification, i.e. misdemeanor or felony. Of the 262 cases closed as successful, 92% (n=240) were misdemeanor, and 8% (n=22) were felony cases. Of the 70 cases closed as unsuccessful, 84% (n=59) were misdemeanor, and 16% (n=11) were felony.

Of the 240 misdemeanor cases closed as successful, 39% (n=70) were arrested for a new crime. Of the 22 felony cases closed as successful, 59% (n=13) were arrested for a new crime. Of the 59 misdemeanor cases closed as unsuccessful, 63% (n=37) were arrested for a new crime. Of the 11 felony cases closed as unsuccessful, 73% (n=8) were arrested for a new crime. These figures indicate that arrest rates for all categories except unsuccessful felony cases, are approximately 10% higher than actual convictions.

